

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Application No.:	09/872,300	§	Examiner:	Burgess, Barbara N.
Filed:	May 31, 2001	§	Group/Art Unit:	2157
Inventor(s):		§	Atty. Dkt. No:	5150-46100
Andrew Thomson		§		
		§		
		§		
Title:	SYSTEM AND METHOD	§		
	FOR PROVIDING	§		
	NETWORK INTERFACES	§		
	TO INSTRUMENTS	§		
	WITHOUT NETWORKING	§		
	CAPABILITIES	§		
		§		

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**APPEAL BRIEF**

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

Further to the Notice of Panel Decision mailed April 24, 2007, Appellants present this Appeal Brief. Appellants respectfully request that the Board of Patent Appeals and Interferences consider this appeal.

**I. REAL PARTY IN INTEREST**

The subject application is owned by National Instruments Corporation, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and now having its principal place of business at 11500 N. MoPac Expressway, Bldg. B, Austin, Texas 78759-3504.

## **II. RELATED APPEALS AND INTERFERENCES**

No related appeals or interferences are known which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

### **III. STATUS OF CLAIMS**

Claims 82-106 are pending in the case. Claims 82-106 stand rejected under 35 U.S.C. § 102(e) and claims 93 and 97 stand rejected under 35 U.S.C. § 112. Claims 82-106 are the subject of this appeal. A copy of claims 82-106, incorporating entered amendments, as on appeal, is included in the Claims Appendix hereto.

#### **IV. STATUS OF AMENDMENTS**

Minor amendments to claims 92, 93, and 97 were filed in the Response to Final Office Action of February 22, 2007 (in response to the Final Office Action of December 22, 2006). However, in the Advisory Action of March 27, 2007, the Examiner refused to enter the amendments stating: “claim 92 was further amended to delete claim language and further limit the claim requiring Examiner to perform further search and/or consideration to the claim in view of amendment”. Appellants note that the claim amendment corrected a dependency error (from claim 1 to claim 82) and limited a list of possible busses to a GPIB bus which has been present in dependent claims throughout the prosecution history of this case (e.g., original claim 21 and claim 92 after claims 1-81 were cancelled). Appellant submits that no new matter (or claim language) was added to the claim and that correspondingly, no new search or consideration should be required. In refusing to enter the amendment, the Examiner also did not allow amendments to claims 93 and 97 which were also made to further place this case in condition for Appeal. Appellant respectfully submits that these amendments should be considered. However, because these amendments were not entered, the status of claims reflects the claims without the deletion of the text in question, the correction of the dependency of claim 92, and amendments to claims 93 and 97 to remove the term “and/or”.

## **V. SUMMARY OF THE CLAIMED SUBJECT MATTER**

The present application relates to the field of virtual instrumentation and, more particularly, to a system and method for providing network interfaces to instruments without inherent networking capabilities.

Independent claim 82 recites a method which includes a first device coupled to a network sending a request to a second device coupled to the network to access a traditional instrument, where the traditional instrument is coupled to the second device via an instrumentation bus, where the instrument driver is required by the second device to communicate with the traditional instrument, where the second device is not configured with the instrument driver, where the traditional instrument does not include inherent Internet capabilities, and wherein the instrumentation bus is not the Internet. *See, e.g., at least page 8, line 2-page 11, line 2; page 14, line 10-page 28, line 14; and Figures 2A-8.* The method further includes the second device receiving the request to access the traditional instrument. *See, e.g., at least page 9, lines 8-18; page 17, line 17-page 18, line 30; page 23, lines 24-30; page 24, lines 11-28; page 26, line 22-page 27, line 14; page 27, lines 17-28; page 29, lines 20-30; ; and Figures 7 and 8.* The method includes the second device receiving the instrument driver in response to said receiving the request to access the traditional instrument, where the instrument driver is downloaded directly from the network, and where the instrument driver is usable by the second device to communicate with the traditional instrument. *See, e.g., at least page 9, lines 19-25; page 22, lines 14-24; and original claim 59.* The method includes the second device accessing the traditional instrument via the instrumentation bus in response to said request to access the traditional instrument. *See, e.g., at least page 9, lines 7-17; page 10, line 26-page 11, line 17; page 24, line 20-page 25, line 13; page 28, line 17-page 29, line 7; page 29, line 20-page 30, line 10; and Figures 6-9.* The method further includes the traditional instrument sending instrument data to the second device via the instrumentation bus in response to the second device accessing the traditional instrument, the second device receiving the instrument data from the traditional instrument via the instrumentation bus, and the second device sending the instrument data to the first device

via the network. *See, e.g., at least page 11, lines 9-30; page 15, lines 5-14; page 28, line 6-page 29, line 7; page 30, line 1-page 31, line 13; and Figures 7 and 8.*

Independent claim 93 recites a device including a first port operable to couple to a network, and a second port operable to couple to an instrumentation bus, where the instrumentation bus is not the internet. The device includes a processor and memory comprising program instructions executable to detect a first traditional instrument coupled to the instrumentation bus, where a first instrument driver is required by the device to communicate with the traditional instrument, and where the device is not configured with the first instrument driver. *See, e.g., at least page 8, line 2-page 11, line 2; page 14, line 10-page 28, line 14; and Figures 2A-8.* The program instructions are further executable to receive, from the network, the first instrument driver which is associated with the first traditional instrument in response to the detection of the first traditional instrument, where the first driver comprises program instructions which are executable by the processor to communicate and/or control the first traditional instrument, and store the first instrument driver in the memory. *See, e.g., at least page 9, lines 19-25; page 22, lines 14-24; and original claim 59.*

Independent claim 101 recites a method for using a traditional instrument with a network comprising a first device detecting the traditional instrument, where the first device is coupled to the traditional instrument, where the first device is not coupled to the traditional instrument via the Internet, where an instrument driver is required by the first device to communicate with the traditional instrument, where the first device is not configured with the instrument driver, and where the first device is coupled to the network. *See, e.g., at least page 8, line 2-page 11, line 2; page 14, line 10-page 28, line 14; and Figures 2A-8.* The method further includes automatically receiving, from the network, the instrument driver which is associated with the traditional instrument, where the instrument driver comprises program instructions which are executable by the first device to communicate with the traditional instrument. *See, e.g., at least page 9, lines 19-25; page 22, lines 14-24; and original claim 59.* The method further includes after said receiving, communicating with the traditional instrument, where said communicating

comprises using the instrument driver. *See, e.g., at least page 9, lines 7-17; page 10, line 26-page 11, line 17; page 24, line 20-page 25, line 13; page 28, line 17-page 29, line 7; page 29, line 20-page 30, line 10; and Figures 6-9. See, e.g., at least page 11, lines 9-30; page 15, lines 5-14; page 28, line 6-page 29, line 7; page 30, line 1-page 31, line 13; and Figures 7 and 8.*

Independent claim 105 recites a memory medium including program instructions that are executable by a processor to implement scanning an instrumentation bus coupled to a first device to detect instruments coupled to the instrumentation bus. *See, e.g., page 9, line 28-page 10, line 16; page 17, line 28-age 18, line 9; page 22, line 25-page 23, line 10; page 26, lines 10-18; page 27, line 11-page 28, line 14; and Figures 2A-4, 6, and 8.* The program instructions are executable to implement detecting a first traditional instrument coupled to the instrumentation bus, where an instrument driver is required by the first device to communicate with the first traditional instrument, where the first device is not configured with the instrument driver, where the first traditional instrument does not include inherent Internet capabilities, and where the instrumentation bus is not the Internet. *See, e.g., at least page 8, line 2-page 11, line 2; page 14, line 10-page 28, line 14; and Figures 2A-8.* The program instructions are further executable to implement receiving instrument information from the detected first traditional instrument in response to said detecting the first traditional instrument and providing the instrument information of the first traditional instrument to a second device coupled to the first device via the network, and displaying the instrument information of the first traditional instrument on the second device, where the first traditional instrument is remotely accessible from the second device to initiate monitor and control functions of the first traditional instrument. *See, e.g., at least page 8, lines 6-18; page 9, line 25-page 10, line 25; page 15, lines 1-14; page 18, lines 1-16; page 23, lines 1-30; page 27, line 11-page 28, line 14. See, e.g., at least page 11, lines 9-30; page 15, lines 5-14; page 28, line 6-page 29, line 7; page 30, line 1-page 31, line 13; and Figures 7 and 8.* The program instructions are further executable to implement transmitting a network request for the instrument driver corresponding to the instrument information and usable to communicate with the first



traditional instrument, and receiving the instrument driver from the network. *See, e.g., at least page 8, line 2-page 11, line 2; page 14, line 10-page 28, line 14; and Figures 2A-8.*

The summary above describes various examples and embodiments of the claimed subject matter; however, the claims are not necessarily limited to any of these examples and embodiments. The claims should be interpreted based on the wording of the respective claims.

## **VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

### **First Ground of Rejection**

Claims 93 and 97 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter Appellant regards as the invention.

### **Second Ground of Rejection**

Claims 82-106 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fujibayashi et al. (U.S. Patent 6,947,939) (hereinafter "Fujibayashi").

## **VII. ARGUMENT**

### **First Ground of Rejection:**

Claims 93 and 97 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter Appellant regards as the invention. More specifically, the Office Action asserts that “Applicant has used a contradictory statement ‘and/or’”. Appellant respectfully submits that “and/or” is not a contradictory statement, and, as one skilled in the art understands, is an inclusive OR conjunction for two or more phrases. Said another way, the conjunction “and/or” means that any of the elements of the lists may be performed in any combination. Thus, Appellant submits that claims 93 and 97 are not indefinite as asserted by the Examiner.

### **Second Ground of Rejection**

Claims 82-106 stand rejected under 35 U.S.C. § 102(c) 35 U.S.C. § 102(c) as being anticipated by Nagaoka et al. (hereinafter “Nagaoka”, US Patent Publication 2002/0180579). Appellants respectfully traverse this rejection for the following reasons. Different groups of claims are addressed under their respective subheadings.

#### **Claims 82, 83, 84, 85, 88, 89, 90, 105, and 106**

Regarding claim 82, Nagaoka fails to disclose **a first device coupled to a network sending a request to a second device coupled to the network to access a traditional instrument, wherein the traditional instrument is coupled to the second device via an instrumentation bus, wherein an instrument driver is required by the second device to communicate with the traditional instrument, wherein the second device is not configured with the instrument driver, wherein the traditional instrument does not include inherent Internet capabilities, and wherein the instrumentation bus is not the Internet.** With regard to this limitation, the Office Action cites paragraphs [0082], [0090], [0091], [0093], and [0094] of Nagaoka. Appellant respectfully submits that neither these paragraphs nor any others of Nagaoka

teach the limitation of claim 82 recited above. To summarize, these paragraphs [0082] and [0083] disclose a home network management system which “enables a user to perform remote control of home-located electronic devices”. Appellant respectfully submits one skilled in the art understands that none of these paragraphs teach the limitation recited above. More specifically, these paragraphs do not relate to a system where a first device sends a request to a second device to access a traditional instrument, wherein the traditional instrument is coupled to the second device via an instrumentation bus, wherein an instrument driver is required by the second device to communicate with the traditional instrument, and **wherein the second device is not configured with the instrument driver**. Nagaoka fails to teach, suggest, *or even hint at* a first device coupled to a network sending a request to a second device coupled to the network to access a traditional instrument **wherein the second device is not configured with the instrument driver**.

With further regard to claim 82, Nagaoka fails to disclose **the second device receiving the instrument driver in response to said receiving the request to access the traditional instrument, wherein the instrument driver is downloaded directly from the network, and wherein the instrument driver is usable by the second device to communicate with the traditional instrument**. As argued above, Nagaoka fails to teach receiving the request to access the traditional instrument as recited in the claims and therefore cannot teach this feature of claim 1. However, Appellant notes that the Office Action cites paragraphs [0041] and [0045] with regard to this feature. The pertinent portion recites:

the control unit receives from the management facility via the first communication unit, an identifying signal and a request signal showing that the driver software is downloaded from the management facility by the server, and transmits to the server corresponding to the identifying signal via a second communication unit, the driver software corresponding to the request signal.

Appellant respectfully submits that the cited paragraph is ambiguous as to the particular type of request received from the management facility as well as the specific means/process by which the driver is downloaded. However, Nagaoka later discloses

(paragraph [0254]), “For example, when a user buys new home-located electronic device(s) provided in home network 6 installed in a user's house, the user is required to install new driver software corresponding to the new home-located electronic device(s) in home server 61 in home network 6” (Emphasis added). Nagaoka further teaches, “the user accesses home network management server 5 by utilizing terminal 1, and downloads the driver software corresponding to home-located electronic device(s) to home server 61”. Thus, Appellant respectfully submits that Nagaoka teaches that the user must install new software for new home electronic devices. More specifically, the drivers are downloaded based on a request from the user to download a driver corresponding to the new device; one skilled in the art understands that **the user manually installing a device driver is not the second device receiving the instrument driver in response to said receiving the request to access the traditional instrument** as required by claim 82. Thus, for at least the reasons above, Appellant submits that Nagaoka fails to teach this feature of claim 82.

In response to these arguments, the Final Office Action clarifies the rejection and asserts that Nagaoka's terminal device teaches the first device, the home server teaches the second device, and the various home electronic devices teach the traditional instrument of claim 85. Appellant has carefully examined the paragraphs cited by the Office Action and agrees that the terminal device (e.g., a cell phone) is used by the user to remotely control home electronic devices via the home server. However, none of the cited portions (or any other portions of Nagaoka) teach that the terminal device sends a request to access a home electronic device that is not configured with a driver via the home server. Further, none of the cited portions teach the home server receiving the driver from the network to communicate with the home electronic device **in response to the request to access the home electronic device that is not configured with a driver**. Instead, as argued above, Nagaoka teaches that the drivers are downloaded to the home server in response to **the user requesting that the driver for the electronic device be installed**. Appellant respectfully submits that one skilled in the art would not mistake **downloading a driver in response to a second device requesting access to a first device which doesn't have the driver installed with a user manually requesting**

**installation of a driver.** Furthermore, the portions cited by the Examiner all relate to communications where the driver has already been installed for the home electronic devices. Correspondingly, Appellant submits that at least these claim limitations are not taught by Nagaoka.

#### **Claim 86**

Regarding claim 86, Nagaoka fails to disclose **wherein the user input that generates the request to access the traditional instrument is received by the web browser in a web page provided by the second device.** However, the Examiner relies on paragraph [0111] which recites:

When a user requests status information by utilizing terminal 1, the status information is transmitted to home server 61 corresponding to the user via home network management facility 5. And, control unit 611 in home server 61 transmits home-located electronic device categories provided in status information table TBL1-m, and the status information to home network management facility 5 when receiving the status information request.

Appellant submits that while the cited paragraph teaches that status information may be provided to home server 61 via the home network management facility, the cited paragraph does not teach or suggest that the user input that generates the request to access the traditional instrument is received by the web browser in a web page provided by the second device. The cited paragraph makes no mention that a web page is provided, much less by the home server (which the Examiner relies on as the second device).

#### **Claim 87**

Regarding claim 87, Nagaoka fails to disclose **wherein the web page provides a graphical user interface to the traditional instrument coupled to the second device.** The Examiner relies on paragraph [0086] of Nagaoka which describes that the terminal 1 may include a www browser for displaying information and communication with home management server 5 (in addition to an access browser). Appellant submits that the cited paragraph does not mention a graphical user interface to the traditional instrument as required by this claim.

### **Claim 91**

Regarding claim 91, Nagoaka fails to disclose **detecting one or more traditional instruments coupled to the instrumentation bus including the traditional instrument**. With respect to this feature, the Examiner relies on paragraphs [0093] and [0094] which describe how various communication standards may be used for the home server as well as the home server's ability to control home-located electronic device group 62 and security system 63. Appellants respectfully submit that these facts are not pertinent to detecting one or more traditional instruments coupled to the instrumentation bus including the traditional instrument.

Additionally, Nagaoka fails to disclose **receiving instrument information from each of the detected one or more traditional instruments**. As indicated in the specification and the present claim, the instrument information is used to identify and/or describe the instrument (e.g., such that the user can determine the type of the traditional instrument for selection). The Examiner relies on paragraph [0171] which discloses transmission of status information of a home-located electronic device; however, Appellant submits that the status information of this paragraph does not correspond to the instrument information as described in the specification and recited in the claim.

Furthermore, Nagaoka fails to disclose **providing the instrument information from the one or more detected traditional instruments to the first device, wherein the one or more traditional instruments are user-selectable from the first device using the instrument information**. The cited paragraphs ([0130], [0122], and [0131]) each relate to security access and the status information. Thus, similar to arguments above, the status information of Nagaoka does not correspond to instrument information received from each of the detected one or more traditional instruments, wherein the one or more traditional instruments are user-selectable from the first device using the instrument information.

### **Claim 92**

Regarding claim 92, Appellant submits that Nagaoka fails to disclose that the instrumentation bus is a GPIB instrumentation bus. Appellant notes that while the

current claims do not specifically require the GPIB instrumentation bus, this amendment was submitted in the Response to Final Office Action of February 22, 2007.

#### **Claims 93, 94, and 95**

Regarding claim 93, in addition to the arguments presented above regarding claim 82, Nagaoka fails to disclose **a device which detects a first traditional instrument coupled to the instrumentation bus, wherein a first instrument driver is required by the device to communicate with the traditional instrument, wherein the device is not configured with the first instrument driver.** As argued above, Nagaoka requires that the user to install and configure new devices for the home management system. Appellant notes that the Office Action does not address the specific limitation recited above. Instead, the Office Action cites paragraphs [0041], [0093], and [0094] without any explanation. Appellant notes that these paragraphs provide high level descriptions of the overall use of Nagaoka (as well as methods of communications) and do not teach or suggest the limitations recited above. Thus, for at least the reasons above, Appellant submits that Nagaoka fails to teach this limitation of claim 93.

#### **Claim 96**

Arguments made above regarding claim 86 apply to this claim.

#### **Claim 97, 98, and 99**

Regarding claim 97, Nagaoka fails to disclose **wherein the program instructions are further executable by the processor to detect a second traditional instrument coupled to the instrumentation bus; receive, from the network, a second instrument driver which is associated with the second traditional instrument in response to the detection of the second instrument, wherein the second instrument driver comprises program instructions which are executable by the processor to communicate and/or control the second traditional instrument; and store the second instrument driver in the memory.** Similar arguments above regarding claim 93 apply to the second traditional instrument recited in this claim.



#### **Claim 100**

Arguments made above regarding claim 96 apply to the second traditional instrument in this claim.

#### **Claim 101, 102, 103, and 104**

Regarding claim 101, in addition to arguments presented above regarding claim 82, Nagaoka fails to disclose **automatically receiving, from the network, the instrument driver which is associated with the traditional instrument, wherein the instrument driver comprises program instructions which are executable by the first device to communicate with the traditional instrument.** With regard to this feature, the Office Action cites paragraph [0132] which simply states that the home server “executes driver software memorized in a hard disk” to control home-located electronic devices. Similar to remarks above, this paragraph has nothing to do *whatsoever* with **automatically receiving, from the network, the instrument driver which is associated with the traditional instrument.** One skilled in the art would not mistake communication and control of devices **with already installed drivers** with **automatically receiving drivers to communicate with the devices.** Thus, for at least the reasons above, Nagaoka fails to teach this feature of claim 101.

## **CONCLUSION**

In light of the foregoing remarks, Appellant submits the application is now in condition for allowance, and an early notice to that effect is requested.

The fee of \$500.00 for filing this Appeal Brief is being paid concurrently via EFS-Web. If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from being abandoned, Appellant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 50-1505/5150-46100/JCH.

Respectfully submitted,

/Jeffrey C. Hood/

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## **VIII. CLAIMS APPENDIX**

The following lists claims 82-106, incorporating entered amendments, as on appeal.

82. A method comprising:

a first device coupled to a network sending a request to a second device coupled to the network to access a traditional instrument, wherein the traditional instrument is coupled to the second device via an instrumentation bus, wherein an instrument driver is required by the second device to communicate with the traditional instrument, wherein the second device is not configured with the instrument driver, wherein the traditional instrument does not include inherent Internet capabilities, and wherein the instrumentation bus is not the Internet;

the second device receiving the request to access the traditional instrument;

the second device receiving the instrument driver in response to said receiving the request to access the traditional instrument, wherein the instrument driver is downloaded directly from the network, and wherein the instrument driver is usable by the second device to communicate with the traditional instrument;

the second device accessing the traditional instrument via the instrumentation bus in response to said request to access the traditional instrument;

the traditional instrument sending instrument data to the second device via the instrumentation bus in response to the second device accessing the traditional instrument;

the second device receiving the instrument data sent from the traditional instrument via the instrumentation bus; and

the second device sending the instrument data to the first device via the network.

83. The method of claim 82, further comprising displaying on the first device a graphical user interface to the traditional instrument coupled to the second device, wherein the graphical user interface is operable by the user to remotely control functionality of the traditional instrument from the second device.

84. The method of claim 82, further comprising:

the first device receiving the instrument data from the second device via the network; and

displaying the received instrument data on the first device.

85. The method of claim 82, wherein the first device comprises a web browser, wherein the request to access the traditional instrument is generated in response to user input to the web browser program.

86. The method of claim 85, wherein the user input that generates the request to access the traditional instrument is received by the web browser in a web page provided by the second device.

87. The method of claim 86, wherein the web page provides a graphical user interface to the traditional instrument coupled to the second device.

88. The method of claim 82, wherein the second device comprises an instrument server, and wherein the second device accessing the traditional instrument comprises:

the instrument server accessing the instrument driver for the traditional instrument; and

the instrument driver accessing the traditional instrument via the instrumentation bus in response to the instrument server accessing the instrument driver.

89. The method of claim 82, further comprising, prior to the first device sending the request to access the traditional instrument:

the instrument server providing instrument information about one or more traditional instruments coupled to the second device to the first device through the network, wherein the one or more traditional instruments include the traditional instrument; and

displaying the instrument information about the one or more traditional instruments on the first device.

90. The method of claim 82, wherein a plurality of traditional instruments including the traditional instrument are coupled to the second device via the instrumentation bus, and wherein the first device is operable to send requests to access each of the plurality of traditional instruments to the second device.

91. The method of claim 82, further comprising the second device:

- detecting one or more traditional instruments coupled to the instrumentation bus including the traditional instrument;
- receiving instrument information from each of the detected one or more traditional instruments; and
- providing the instrument information from the one or more detected traditional instruments to the first device;

wherein the one or more traditional instruments are user-selectable from the first device using the instrument information.

92. The method of claim 1, wherein the instrumentation bus is one of a GPIB instrumentation bus, a PCI instrumentation bus, a PXI instrumentation bus, and a serial instrumentation bus.

93. A device comprising:

- a first port operable to couple to a network;
- a second port operable to couple to an instrumentation bus, wherein the instrumentation bus is not the Internet;
- a processor; and
- memory coupled to the processor and operable to store program instructions, wherein the program instructions are executable by the processor to:

- detect a first traditional instrument coupled to the instrumentation bus, wherein a first instrument driver is required by the device to communicate with the traditional instrument, wherein the device is not configured with the first instrument driver;

receive, from the network, the first instrument driver which is associated with the first traditional instrument in response to the detection of the first traditional instrument, wherein the first instrument driver comprises program instructions which are executable by the processor to communicate and/or control the first traditional instrument; and

store the first instrument driver in the memory.

94. The device of claim 93,

wherein the program instructions are further executable by the processor to:

receive, from a second device coupled to the network, a request to access the first traditional instrument;

wherein the first instrument driver comprises program instructions which are executable by the processor to:

access the first traditional instrument through the instrumentation bus; and  
receive data sent from the first traditional instrument.

95. The device of claim 94,

wherein the program instructions are further executable by the processor to:

transmit the data to the network.

96. The device of claim 95,

wherein, in said transmitting the data to the network, the program instructions are further executable by the processor to transmit a web page to the network, wherein the web page comprises the data.

97. The device of claim 93,

wherein the program instructions are further executable by the processor to:

detect a second traditional instrument coupled to the instrumentation bus;

receive, from the network, a second instrument driver which is associated with the second traditional instrument in response to the detection of the second instrument, wherein the second instrument driver comprises program instructions which

are executable by the processor to communicate and/or control the second traditional instrument; and

store the second instrument driver in the memory.

98. The device of claim 97,

wherein the program instructions are further executable by the processor to:

receive, from a second device coupled to the network, a request to access the second traditional instrument;

wherein the second instrument driver comprises program instructions which are executable by the processor to:

access the second traditional instrument through the instrumentation bus;

and

receive data from the second traditional instrument.

99. The device of claim 98,

wherein the program instructions are further executable by the processor to:

transmit the data to the network.

100. The device of claim 99,

wherein, in said transmitting the data to the network, the program instructions are further executable by the processor to transmit a web page to the network, wherein the web page comprises the data.

101. A method for using a traditional instrument with a network, comprising:

a first device detecting the traditional instrument, wherein the first device is coupled to the traditional instrument, wherein the first device is not coupled to the traditional instrument via the Internet, wherein an instrument driver is required by the first device to communicate with the traditional instrument, wherein the first device is not configured with the instrument driver, and wherein the first device is coupled to the network;

automatically receiving, from the network, the instrument driver which is associated with the traditional instrument, wherein the instrument driver comprises program instructions which are executable by the first device to communicate with the traditional instrument; and

after said receiving, communicating with the traditional instrument, wherein said communicating comprises using the instrument driver.

102. The method of claim 101,

wherein said automatically receiving comprises downloading the instrument driver from a second device coupled to the network.

103. The method of claim 101, further comprising:

receiving from the network a request for information associated with the instrument;

wherein said communicating with the traditional instrument is performed in response to said receiving from the network the request;

the method further comprising:

transmitting a response to the network.

104. The method of claim 103,

wherein the request comprises a request for a measurement.

105. A computer-accessible memory medium comprising program instructions, wherein the program instructions are executable by a processor to implement:

scanning an instrumentation bus coupled to a first device to detect instruments coupled to the instrumentation bus;

detecting a first traditional instrument coupled to the instrumentation bus, wherein an instrument driver is required by the first device to communicate with the first traditional instrument, wherein the first device is not configured with the instrument driver, wherein the first traditional instrument does not include inherent Internet capabilities, and wherein the instrumentation bus is not the Internet;



receiving instrument information from the detected first traditional instrument in response to said detecting the first traditional instrument;

transmitting to a network a request for the instrument driver which corresponds to the instrument information, wherein the instrument driver is usable to communicate with the first traditional instrument;

receiving the instrument driver from the network;

providing the instrument information of the first traditional instrument to a second device coupled to the first device via the network; and

displaying the instrument information of the first traditional instrument on the second device;

wherein the first traditional instrument coupled to the first device via the instrumentation bus is remotely accessible from the second device to initiate monitor and control functions of the first traditional instrument.

106. The computer-accessible memory medium of claim 105, wherein the program instructions are further computer-executable to implement:

receiving user input on the second device, wherein the user input specifies the first traditional instrument; and

sending a request to access the first traditional instrument from the second device to the first device through the network in response to the user input.

## **IX. EVIDENCE APPENDIX**

No evidence submitted under 37 CFR §§ 1.130, 1.131 or 1.132 or otherwise entered by the Examiner is relied upon in this appeal.

**X. RELATED PROCEEDINGS APPENDIX**

There are no related proceedings.